

**THE PATENT OFFICE OF THE STATE INTELLECTUAL PROPERTY OFFICE
OF THE PEOPLE'S REPUBLIC OF CHINA**

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Shanghai Patent & Trademark Law Office

Date of Dispatch
May 21, 2004

Application No.: 02106627.2	Applicant: ASAHI GLASS COMPANY LTD.
Application Date: February 28, 2002	Agent:
Title: METHOD OF COUPLING PLASTIC OPTICAL FIBERS	

NOTICE ON OFFICE ACTION

1. ☒ According to the Request for Substantive Examination raised by the applicant and based on the provision of Item 1, Article 35 of the Patent Law, the Examiner has proceeded with the Examination as to Substance on the above mentioned application for patent for invention.
- ☐ According to Item 2, Article 35 of the Chinese Patent Law, the Patent Office has decided to examine the above application for patent for invention.
2. ☒ The applicant has requested that the filling date of
February 28, 2001 at the JP Patent Office as the priority date,
_____ at the _____ Patent Office as the priority date,
_____ at the _____ Patent Office as the priority date,
_____ at the _____ Patent Office as the priority date,
- ☒ The applicant has already submitted the copy of the first filed prior application document certified by the receiving office of the country where the application was originally filed.
- ☐ The applicant has not submitted the copy of the first filed prior application document certified by the receiving office of the country where the application was originally filed. It is deemed not having claimed priority according to the provision stipulated in Article 30 of the Patent Law.
- ☐ This application is a PCT application.
3. ☐ The applicant submitted on _____ and _____ the amendment documents.
On examination, among them,
the _____ submitted on _____ can not be accepted.
the _____ submitted on _____ can not be accepted.
- Because the above amendment
- ☐ does not conform with the provisions of Article 33 of the Chinese Patent Law,
- ☐ does not conform with the provisions of Rule 51 of the Implementing Regulations of the Chinese Patent Law,
- Refer to the text of the Notice for the specific reasons why the amendment cannot be accepted



4. ☒ The examination has been proceeded on the original application documents.
☐ The examination is directed at the following application documents:
 Claim _____, page _____ of the specification, page _____ of the drawing of the original application documents submitted on the date of filing.
 Claim _____, page _____ of the specification, page _____ of the drawing submitted on _____.
 Claim _____, page _____ of the specification, page _____ of the drawing submitted on _____.
 Claim _____, page _____ of the specification, page _____ of the drawing submitted on _____.
 Abstract of the specification submitted on _____, the drawing of the Abstract submitted on _____.

5. ☐ This Notice is made under the condition of no search having been conducted.
☒ This Notice is made under the condition of search having been conducted.
☒ This Notice has cited the below comparison documents (the number of which shall continue to be used in the subsequent examination procedures):

No.	Title of Document	Date of Publication (or the filing date of the conflicting Application)
1	US4629284A - filed in IOS 11.18.2002	December 16, 1986
2	US4871227A - filed in IOS 11.18.2002	October 3, 1989
3	JP 平 8-5848A - herewith	January 12, 1996
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6. The conclusive opinion drawn from the examination:

☒ **As regards the Specification:**

- ☐ The contents of the application fall under the scope stipulated by Article 5 of the Patent Law for which no patent right shall be granted.
☐ The specification does not conform with the provision of Item 3, Article 26 of the Patent Law.
☒ The drafting of the specification does not conform with the provision of Rule 18 of the Implementing Regulations.

☒ **As regards the Claims:**

- ☒ Claim 1.6 does not possess the novelty as stipulated in Item 2, Article 22 of the Patent Law.
☒ Claim 2.5.7-10 does not possess the inventiveness as stipulated in Item 3, Article 22 of the Patent Law.
☐ Claim _____ does not possess the practical applicability as stipulated in Item 4, Article 22 of the Patent Law.
☐ Claim _____ falls under the scope of Article 25 of the Patent Law where no patent right is to be granted.
☐ Claim _____ does not conform with the provision of Item 4, Article 26 of the Patent Law.
☐ Claim _____ does not conform with the provision of Item 1, Article 31 of the Patent Law.
☐ Claim _____ does not conform with the definition of invention as stipulated in Item 1, Article 2 of the Implementing Regulations of the Patent Law.
☐ Claim _____ does not conform with the provision of Item 1, Rule 13 of the Implementing Regulations of the Patent Law.
☒ Claim 4.5.9.10 does not conform with the provisions of Rules 23 of the Implementing Regulations of the Patent Law.

Refer to the text of this Notice for the specific analyses of the conclusive opinion.



7. Based on the above conclusive opinion, the Examiner deems that:
- ☐ The applicant shall amend the application documents in accordance with the requirements raised in the text of the Notice.
 - ☐ The applicant shall discuss in his observations reasons why this application for patent can be granted a patent right, and amend the portions indicated in the text of the Notice which have been deemed as not conforming with the provisions, or no patent right shall be granted.
 - ☒ There are no substantive contents in the application for patent that can be granted a patent right. If the applicant does not present reasons or the reasons presented are not sufficient, the application shall be rejected.
8. The applicant is asked to note the following items:
- (1) According to the provision of Article 37 of the Patent Law, the applicant shall submit his observations within **four months** from the receipt of this Notice. Where, without justified reasons, the applicant does not respond at the expiration of said date, the application shall be deemed to have been withdrawn
 - (2) The applicant shall amend his application according to Article 33 of the Patent Law. The amended documents shall be in duplicate, and the form, in conformity with the relevant provisions in the Examination Guide.
 - (3) The applicant and/or his agent can not, without first making an appointment, go to the Patent Office to have an interview with the Examiner.
 - (4) The observations and/or the amended documents shall be mailed or delivered to Department of Receipt, the Patent Office of the State Intellectual Property Office. No documents shall possess legal effects if not mailed or delivered to Department of Receipt.
9. The text portion of this Notice totals 3 page(s), and includes the following attachment(s):
- ☒ duplicate copy(ies) of cited comparison document(s), altogether 3 copy(ies) 30 pages.
 - ☐

Examination Department: _____ Examiner(Seal): _____

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THE TEXT OF THE FIRST OFFICE ACTION (Translation)

Application Number:

This application relates to a method for coupling plastic optical fibers. As stated in the specification, the technical problem to be addressed by the present application is "to couple end faces of plastic optical fibers in easy fashion and with low splice loss". Upon examination, the office action is provided as follows.

1. Claims 1 and 6 do not possess the novelty as prescribed in Paragraph 2 of Article 22 of the Patent Law; claims 2-5 and 7-10 do not possess the inventiveness as prescribed in Paragraph 3 of Article 22 of the Patent Law.

The technical solution as claimed in claim 1 does not possess the novelty as prescribed in Paragraph 2 of Article 22 of the Patent Law. Reference 1 (US4629284A) discloses an apparatus and method for connecting optical fibers and in particular reveals the following technical features "the apparatus includes a connecting means (3) which has inside a groove (5) for receiving plastic optical fibers in a longitudinal direction, opposed end faces (11, 12) of the plastic optical fibers being coupled together, and the connecting means providing a lateral pressure to the fibers so that the fibers are held in the connecting means" (See column 5, line 46 to column 6, line 60 of the specification and figure 1 of the reference). As thus can be seen, Reference 1 has disclosed all of the technical features of the claim. Further, the technical solution disclosed by Reference 1 pertains to the same technical field, and produces the same technical effects, as claim 1. Therefore, the technical solution as claimed in the claim has no novelty.

Claim 2 is dependent upon claim 1 and includes the additional technical feature "the groove of the holder has openings at opposite ends of the holder, the openings have inclined portions, and the opposed end faces of the respective plastic optical fibers are introduced from the openings into the groove of the holder and coupled together by use of flexibility of the holder". However, these features have been correspondingly disclosed in Reference 2 (US4871227A) (See column 4, lines 10-16 of the specification and figure 7 of Reference 2), and play the same role in Reference 2 as in the present

invention, i.e., facilitating the entry of the optical fibers from the ends into the groove. Namely, the reference gives a hint to apply the above additional technical features into Reference 1 to further resolve the technical problem. As thus can be seen, it is obvious to those skilled in the art to incorporate Reference 2 into Reference 1 to obtain the technical solution as further defined in the claim. Accordingly, where the claim referred to has no novelty, claim 2 does not possess the inventiveness as prescribed in Paragraph 3 of Article 22 of the Patent Law.

The additional technical feature "the groove can encompass a cylindrical space occupying 50% or more of an entire outer circumference of each of the plastic optical fibers" of claim 3 has also been correspondingly disclosed in Reference 1 (See figures 4-9 and 11 of Reference 1), and plays the same role in Reference 1 as in the present invention, i.e., making the optical fibers be more steadily held in the holder. Accordingly, where claims 1 or 2 referred to has no novelty or inventiveness, claim 3 does not possess the inventiveness as prescribed in Paragraph 3 of Article 22 of the Patent Law.

Claim 4 includes the additional technical feature "at least one portion of the plastic optical fibers is made of fluororesin". However, this feature has been correspondingly disclosed in Reference 3 (JP 平 8-5848A) (See claim 4 of Reference 3), and plays the same role in Reference 3 as in the present invention, i.e., taking advantage of the excellent transmission properties in near infrared light of the optical fibers of fluororesin, which suit the middle distance communication. Namely, the reference gives a hint to apply the above additional technical feature into References 1 and to further resolve the technical problem. As thus can be seen, it is obvious to those skilled in the art to incorporate Reference 3 into References 1 and 2 to obtain the technical solution as further defined in the claim. Accordingly, where the claims referred to have no novelty or inventiveness, claim 4 does not possess the inventiveness as prescribed in Paragraph 3 of Article 22 of the Patent Law.

The additional technical feature "the opposed end faces of the fibers are coupled together with a refractive index matching agent" of claim 5 has also been correspondingly disclosed in Reference 1 (See column 6, lines 34-45 of the specification Reference 1), and plays the same role in the reference as in the present



invention, i.e., lowering the splice loss of the optical fibers. Accordingly, where the claims have no novelty or inventiveness, claim 5 does not possess the inventiveness as prescribed in Paragraph 3 of Article 22 of the Patent Law.

Claims 6-10 claim a plastic optical fiber unit including a coupled portion. The optical fiber unit is made in accordance with the method of claims 1-5, and the technical features of claims 6-10 with regard to the method of connecting plastic optical fibers exactly correspond to those of claims 1-5. Accordingly, based on the same reasons as with claims 1-5, claim 6 has no novelty and claims 7-10 have no inventiveness.



2. Claims 4, 5, 9 and 10, which are themselves multiple dependent claims, refer to the preceding multiple dependent claims and thus do not conform to the provision of Paragraph 2 of Rule 23 of the Implementing Regulations.

3. (Omitted and can be dealt with easily at our end)

Based on the above reasons, none of the independent and dependent claims of this application possesses inventiveness. Meanwhile, there are no other material contents that can be granted a patent recorded in the specification. Accordingly, there will be no prospect of this application being granted, even if the applicant recombines and/or further defines the claims based on the contents recorded in the specification. If the applicant cannot give sufficient reasons demonstrating the inventiveness of the application within the time limit set by the present notice, the application will be rejected.



中华人民共和国国家知识产权局

邮政编码: 200233 上海桂平路 435 号 上海专利商标事务所 吴明华		发文日期 
申请号: 021066272 		
申请人: 旭硝子株式会社		
发明创造名称: 连接塑料光纤的方法		

第一次审查意见通知书

1. ☒ 应申请人提出的实审请求, 根据专利法第 35 条第 1 款的规定, 国家知识产权局对上述发明专利申请进行实质审查。

☐ 根据专利法第 35 条第 2 款的规定, 国家知识产权局决定自行对上述发明专利申请进行审查。

2. ☒ 申请人要求以在:

JP 专利局的申请日 2001 年 02 月 28 日为优先权日,
专利局的申请日 年 月 日为优先权日,
专利局的申请日 年 月 日为优先权日,
专利局的申请日 年 月 日为优先权日,
专利局的申请日 年 月 日为优先权日。

☒ 申请人已经提交了经原申请国受理机关证明的第一次提出的在先申请文件的副本。

☐ 申请人尚未提交经原申请国受理机关证明的第一次提出的在先申请文件的副本, 根据专利法第 30 条的规定视为未提出优先权要求。

3. ☐ 经审查, 申请人于:

年 月 日提交的 不符合实施细则第 51 条的规定;
年 月 日提交的 不符合专利法第 33 条的规定;
年 月 日提交的

4. 审查针对的申请文件:

☒ 原始申请文件。 ☐ 审查是针对下述申请文件的

申请日提交的原始申请文件的权利要求第	项、说明书第	页、附图第	页;
年 月 日提交的权利要求第	项、说明书第	页、附图第	页;
年 月 日提交的权利要求第	项、说明书第	页、附图第	页;
年 月 日提交的权利要求第	项、说明书第	页、附图第	页;
年 月 日提交的说明书摘要,	年 月	日提交的摘要附图。	

5. ☐ 本通知书是在未进行检索的情况下作出的。

☒ 本通知书是在进行了检索的情况下作出的。

☒ 本通知书引用下述对比文献(其编号在今后的审查过程中继续沿用):

编号	文件号或名称	公开日期 (或抵触申请的申请)
1	US4629284A	1986-12-16
2	US4871227A	1989-10-3



6. 审查的结论性意见:

☒关于说明书:

- ☐申请的内容属于专利法第 5 条规定的不授予专利权的范围。
☐说明书不符合专利法第 26 条第 3 款的规定。
☐说明书不符合专利法第 33 条的规定。
☒说明书的撰写不符合实施细则第 18 条的规定。
☐

☒关于权利要求书:

- ☒权利要求 1, 6 不具备专利法第 22 条第 2 款规定的新颖性。
☒权利要求 2-5, 7-10 不具备专利法第 22 条第 3 款规定的创造性。
☐权利要求 不具备专利法第 22 条第 4 款规定的实用性。
☐权利要求 属于专利法第 25 条规定的不授予专利权的范围。
☐权利要求 不符合专利法第 26 条第 4 款的规定。
☐权利要求 不符合专利法第 31 条第 1 款的规定。
☐权利要求 不符合专利法第 33 条的规定。
☐权利要求 不符合专利法实施细则第 2 条第 1 款关于发明的定义。
☐权利要求 不符合专利法实施细则第 13 条第 1 款的规定。
☐权利要求 不符合专利法实施细则第 20 条的规定。
☐权利要求 不符合专利法实施细则第 21 条的规定。
☐权利要求 不符合专利法实施细则第 22 条的规定。
☒权利要求 4, 5, 9, 10 不符合专利法实施细则第 23 条的规定。
☐

上述结论性意见的具体分析见本通知书的正文部分。

7. 基于上述结论性意见, 审查员认为:

- ☐申请人应按照通知书正文部分提出的要求, 对申请文件进行修改。
☐申请人应在意见陈述书中论述其专利申请可以被授予专利权的理由, 并对通知书正文部分中指出的不符合规定之处进行修改, 否则将不能授予专利权。
☒专利申请中没有可以被授予专利权的实质性内容, 如果申请人没有陈述理由或者陈述理由不充分, 其申请将被驳回。
☐

8. 申请人应注意下述事项:

- (1) 根据专利法第 37 条的规定, 申请人应在收到本通知书之日起的肆个月内陈述意见, 如果申请人无正当理由逾期不答复, 其申请将被视为撤回。
(2) 申请人对其申请的修改应符合专利法第 33 条的规定, 修改文本应一式两份, 其格式应符合审查指南的有关规定。
(3) 申请人的意见陈述书和/或修改文本应邮寄或递交国家知识产权局专利局受理处, 凡未邮寄或递交给受理处的文件不具备法律效力。
(4) 未经预约, 申请人和/或代理人不得前来国家知识产权局专利局与审查员举行会晤。

9. 本通知书正文部分共有 3 页, 并附有下列附件:

- ☒引用的对比文件的复印件共 3 份 30 页。 ☐

审查员: 郑 (9347)
 2004 年 4 月 23 日

审查部门 审查协作中心

